

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulation

The Kansas Department of Health and Environment, Division of Health, Bureau of Consumer Health, will conduct a public hearing at 1000 SW Jackson, Crumrine Room, Topeka, at 10:00 am on August 28, 2007 to consider amending the food service establishment regulations. Following is a summary of the proposed amendments.

K. A. R. 28-36-101 through 28-36-109 adopts the FDA Model Food Code by reference. The proposed regulations will add the requirement for Consumer Advisory in food service establishments that serve raw or undercooked foods from animal origins, lower the hot holding temperature from 140 degrees to 135 degrees, and provide clarification for industry.

The economic impact to industry will be the reprinting of menus over the next year for those establishments that serve raw or undercooked foods from animal origin. The economic impact to the Department of Health and Environment is estimated to be less than \$10,000 for the cost of making the regulations available on CD and on the web.

The time between publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written comments on the proposed regulatory action. Interested parties may submit written comments prior to the hearing to Angela Kohls, Program Director, Food Safety and Consumer Protection, 1000 SW Jackson, Suite 330, Topeka, KS, 66612-1365 or by email to akohls@kdhe.state.ks.us. Interested parties will be given a reasonable opportunity to orally present their views of the proposed regulatory action during the hearing. To give all parties an opportunity to

present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

A copy of the proposed amended regulations and the economic impact statement may be obtained by contacting Angela Kohls at (785) 368-7302 or on the web at <http://www.kdheks.gov/fpcs/index.html>. Questions pertaining to the proposed regulations should also be directed to Angela Kohls.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request a copy of the proposed regulations and the economic impact statement in an accessible format. Requests for accommodation should be made at least five (5) working days in advance of the hearing by contacting Angela Kohls.

Roderick Bremby, Secretary

Department of Health and Environment